

Criminal Trials

The Court does not require submission of briefs in criminal trials, but does require submission of witness lists from the Government. Such witnesses are then disclosed to the jury during voir dire. The Court encourages the Government to provide *Jencks* material in advance of a witness testifying. In multi-defendant criminal trials, the Court does not have a set procedure, but handles such trials as the circumstances warrant. The Court will allot defendants some amount in excess of ten challenges depending upon the situation. In a very unusual situation, the Court would permit jury questionnaires to be submitted to the venire in advance of jury selection. Attorneys may exercise multiple peremptory challenges, and the Court alternates between Government and defense attorneys for opportunity to exercise. If all attorneys pass, a jury has been selected. Disputes between the Government and defense counsel regarding proposed jury instructions are resolved in chambers then, if necessary, on the record. The Court follows the same procedures relative to jury selection in criminal trials as in civil trials. Generally, the Court permits bench conferences during trial, depending upon the circumstances.